

RECEIVED
CENTRAL FAX CENTER

Attorney's Docket 009523-0283651
Client Reference: OL97501N-US

NOV 07 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
NISHIOKA et al.

Confirmation No: 4064

Application No.: 09/957,471

Group Art Unit: 2873

Filed: September 21, 2001

Examiner: Lester, Evelyn A.

Title: OPTICAL APPARATUS

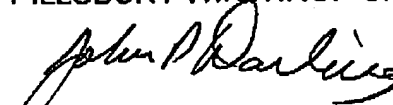
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8

I hereby certify that the following papers are being transmitted by
facsimile to **Examiner Evelyn A. Lester** at the Patent and Trademark Office
at (571) 273-8300 on the date shown below:

- Fee Transmittal
- Request for Continued Examination (RCE)
- Amendment

Respectfully submitted,
PILLSBURY WINTHROP SHAW PITTMAN LLP



JOHN P. DARLING
Reg. No. 44482
Tel. No. 703 770.7745

P.O. Box 10500
McLean, VA 22102
Tel. No. 703 770.7900
Fax No. 703 770.7901

Date: November 7, 2005

TOTAL NUMBER OF PAGES IN FACSIMILE: 13

30555812v1

**RECEIVED
CENTRAL FAX CENTER**

NOV 07 2005

PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<p align="center">Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <p align="center">FEE TRANSMITTAL for FY 2005</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p align="center">Complete if Known</p> <p>Application Number 09/957,471</p> <p>Filing Date September 21, 2001</p> <p>First Named Inventor KIMIHIKO NISHIOKA</p> <p>Examiner Name Lester, Evelyn A.</p> <p>Art Unit 2873</p> <p>Attorney Docket No. 009523-0283651</p>	
<p>TOTAL AMOUNT OF PAYMENT (\$) 910</p>			

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: **033975** Deposit Account Name: **PILLSBURY WINTHROP SHAW**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fees(s) under 37 CFR 1.18 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-3238.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims 61 **Extra Claims** 41 **Fee (\$)** 1640 **Fee Paid (\$)** 0.00

Indep. Claims 18 **Extra Claims** 0 **Fee (\$)** 0.00 **Fee Paid (\$)** 0.00

HP = highest number of total claims paid for, if greater than 20
HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 36 U.S.C. 41(a)(1)(G) and 37 CFR 1.18(a).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>100</u>	<u>0</u>	<u>0</u>	<u>250.00</u>	

4. OTHER FEE(S)

Non-English Specification, 130 fee (no small entity discount)

Other: RCE, Extension of Time **Fee Paid (\$)** 910.00

SUBMITTED BY		Registration No.	Telephone
Signature	<i>John P. Darling</i>	44482	703770.7745
Name (Print/Type)	John P. Darling	Date	November 7, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY